#### §§ 3560.754-3560.799

- (h) Escrow accounts. Short-term prepaid escrow accounts for general operating expenses, such as taxes and insurance, shall not be considered in the valuation of the housing project.
- (i) Rental rates comparison. The appraisal report must document whether the housing project's basic rents are less than, equal to, or greater than market rents for comparable conventional, or non-subsidized, units in the area where the housing is located.
- (j) Description of housing and property rights. The appraisal report must identify and describe both the real estate, which is the land and improvements, and the real property, or property rights, being appraised.
- (k) Exclusion of rental units from valuation. The Agency will provide appraisers with instructions and supporting information on any rental units that do not produce rental income at the time of the appraisal.
- (1) Non-contiguous sites. When a housing project has real property located on non-contiguous sites, a separate appraisal must be developed for each site.

### §§ 3560.754-3560.799 [Reserved]

#### § 3560.800 OMB control number.

The information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) and have been assigned OMB control number 0575-0189. Public reporting burden for this collection of information is estimated to vary from 15 minutes to 18 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. A person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

# PART 3565—GUARANTEED RURAL RENTAL HOUSING PROGRAM

# Subpart A—General Provisions

Sec.	
3565.1	Purpose.
3565.2	Applicability and authority.
3565.3	Definitions.
3565.4	Availability of assistance.

# 7 CFR Ch. XXXV (1-1-06 Edition)

	3565.5	Ranking and selection criteria.	
	3565.6	Inclusion of tax-exempt debt.	
	3565.7	Agency environmental requirements.	
	3565.8	Civil rights compliance.	
	3565.9	Compliance with federal require-	
	me	ents.	
	3565.10	Conflict of interest.	
	3565.11-	-3565.12 [Reserved]	
	3565.13	Exception authority.	
	3565.14	Review and appeals.	
	3565.15	Oversight and monitoring.	
	3565.16	[Reserved]	
	3565.17	Demonstration programs.	
	3565.18	-3565.49 [Reserved]	
	3565.50	OMB control number.	
Subpart B—Guarantee Requirements			

Subpart B—Guarantee Requirements				
3565.51	Eligible loans and advances.			
3565.52	Conditions of guarantee.			
3565.53	Guarantee fees.			
3565.54	Transferability of the guarantee.			
3565.55	Participation loans.			
3565.56	Suspension or termination of loan			
guarantee agreement.				
3565.57	Modification, extension, reinstate-			
ment of loan guarantee.				
3565.58-3565.99 [Reserved]				
3565.100 OMB control number.				
Subpart C—Lender Requirements				
3565.101	Responsibility of lenders.			

3565.101	Responsibility of lenders.		
3565.102	Lender eligibility.		
3565.103	Approval requirements.		
3565.104	Application requirements.		
3565.105	Lender compliance.		
3565.106	Construction lender requirements.		
3565.107	[Reserved]		
3565.108	Responsibility for actions of agents		
and	mortgage brokers.		
3565.109	Minimum loan prohibition.		
3565.110	Insolvency of lender.		
3565.111	Lobbying activities.		
3565.112-	3565.149 [Reserved]		
3565.150	OMB control number.		
Subpart D—Borrower Eligibility			

#### Subpart D—Borrower Eligibility Requirements

3565.151	Eligible borrowers.	
3565.152	Control of land.	
3565.153	Experience and capacity of bor-	
rowe	r.	
3565.154	Previous participation in state and	
feder	al programs.	
3565.155	Identity of interest.	
3565.156	Certification of compliance with	
feder	al, state, and local laws and with	
Agency requirements.		
3565.157-3	3565.199 [Reserved]	
3565.200	OMB control number.	
Culturaret E. Lacen Bacusinamanta		

#### Subpart E—Loan Requirements

3565.201	General.
3565.202	Tenant eligibility.
3565.203	Restrictions on rents

# Rural Housing Service, USDA

- Maximum loan amount.
- 3565.205 Eligible uses of loan proceeds.
- 3565 206 Ineligible uses of loan proceeds.
- 3565.207 Form of lien.

3565.204

- 3565.208 Maximum loan term.
- 3565.209 Loan amortization.
- 3565.210 Maximum interest rate.
- 3565.211 Interest credit.
- 3565.212 Multiple guaranteed loans.
- 3565.213 Geographic distribution.
- 3565.214 [Reserved]
- 3565.215 Special conditions.
- 3565.216-3565.249 [Reserved]
- 3565.250 OMB control number.

#### **Subpart F—Property Requirements**

- 3565.251 Eligible property.
- 3565.252 Housing types.
- 3565.253 Form of ownership.
- 3565.254 Property standards.
- 3565.255 Environmental requirements.
- 3565.256 Architectural services.
- 3565.257 Procurement actions.
- 3565.258-3565.299 [Reserved]
- 3565.300 OMB control number.

#### **Subpart G—Processing Requirements**

- 3565.301 Loan standards.
- 3565.302 Allowable fees.
- 3565.303 Issuance of loan guarantee.
- 3565.304 Lender loan processing responsibil-
- 3565.305 Mortgage and closing requirements.
- 3565.306-3565.349 [Reserved]
- 3565.350 OMB control number.

#### Subpart H—Project Management

- 3565.351 Project management.
- 3565.352 Preservation of affordable housing. 3565.353 Affirmative fair housing marketing.
- 3565.354 Fair housing accommodations.
- 3565.355 Changes in ownership.
- 3565.356-3565.399 [Reserved]
- 3565.400 OMB control number.

#### Subpart I—Servicing Requirements

- 3565.401 Servicing objectives.
- 3565.402 Servicing responsibilities.
- 3565.403 Special servicing.
- 3565.404 Transfer of loans or mortgage servicing.
- 3565.405 Repurchase of guaranteed loans.
- 3565.406-3565.449 [Reserved]
- 3565.450 OMB control number.

#### Subpart J—Assignment, Conveyance, and Claims

- 3565 451 Preclaim requirements
- 3565.452 Decision to liquidate.
- 3565,453 Disposition of the property.
- 3565, 454 [Reserved]
- Alternative disposition methods. 3565.455
- 3565.456 Filing a claim.

3565.457 Determination of claim amount.

§ 3565.3

3565.458 Withdrawal of claim.

3565.459 - 3565.499 [Reserved]

3565.500 OMB control number.

#### Subpart K—Agency Guaranteed Loans That Back Ginnie Mae Guaranteed Securities

3565.501 Applicability.

3565 502 Incontestability

3565.503 Repurchase.

3565.504 Transfers.

3565.505 Liability.

3565.506-3565.549 [Reserved] 3565.550 OMB control number.

AUTHORITY: 5 U.S.C. 301; 7 U.S.C. 1989; 42 U.S.C. 1480.

Source: 63 FR 39458, July 22, 1998, unless otherwise noted.

# Subpart A—General Provisions

#### § 3565.1 Purpose.

The purpose of the Guaranteed Rural Rental Housing Program (GRRHP) is to increase the supply of affordable rural rental housing, through the use of loan guarantees that encourage partnerships between the Rural Housing Service, private lenders and public agencies.

# § 3565.2 Applicability and authority.

The regulation prescribes the policies, authorizations, and procedures for the guarantee of multifamily loans under section 538 of the Housing Act of

#### § 3565.3 Definitions.

Administrator. The Administrator of the Rural Housing Service, or his or her designee.

Agency. The Rural Housing Service, or a successor agency.

Allowable claim amount. The total losses incurred by the lender, as calculated pursuant to subpart J of this part.

Applicable Federal Rate (AFR). The interest rate set by the federal government for federal financing programs pursuant to section 42 of the Internal Revenue Code.

Approved lender. An eligible lender who has been authorized by the Agency to originate and service guaranteed multifamily loans under the program.